

Supreme Court
of the
State of New York



JUAN M. MERCHAN
JUDGE OF THE COURT OF CLAIMS
SUPREME COURT, CRIMINAL TERM
FIRST JUDICIAL DISTRICT

CHAMBERS
100 CENTRE STREET
NEW YORK, N.Y. 10013

September 2, 2022

VIA ELECTRONIC MAIL

John Meringolo, Esq.
Meringolo Law
375 Greenwich Street
New York, NY 10013

Re. People v. The Trump Organization

Mr. Meringolo:

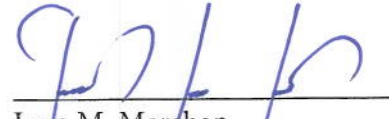
I write in regard to your Notice of Appearance and Affirmation of Actual Engagement on the above referenced matter. I understand from your Affirmation that you are scheduled to commence another trial on October 24, 2022 before the Honorable Analisa Torres in the Southern District. You are therefore unavailable to commence this trial and request an adjournment.

As articulated by ADA Hoffinger in her e-mail yesterday, the Trump Corporation, dba as the Trump Organization and Trump Payroll, dba the Trump Organization (the "Corporate Defendants"), have been represented by Susan Necheles, Alan Futerfas and Gedalia Stern since well before the arraignment on July 1, 2021. At arraignments, Mr. Futerfas and Ms. Necheles, represented that they would retain separate counsel for Trump Payroll if needed. At the next appearance on September 20, 2021, this Court stated, on the record, that this trial would begin in August or September of 2022. All parties were clearly directed not to engage in any other matters or otherwise become unavailable. The Court did so because it was mindful of the complexity of this case and aware that scheduling later, would only prove more difficult given the number of attorneys involved (on both sides), and other logistical considerations. Since then, the Court has reminded all parties, countless times, that this trial would commence in late summer or early fall 2022.

In a letter to the Court dated June 15, 2022, Ms. Necheles specifically requested on behalf of the Corporate Defendants, that this Court "set a specific date for any hearings ... and the first day of trial." She went on to propose that hearings commence on September 12, 2022 and jury selection on October 24, 2022. She further explained that "this schedule makes sense for all the parties because (1) we would avoid interrupting the trial for the Jewish holidays [and] (2) it allows all parties to finalize their trial plans and line up witnesses ..." This Court accepted her thoughtful and detailed proposal. Since that time, all parties, including the Court, have proceeded with the

understanding that trial will commence on October 24, 2022. In fact, as noted by Ms. Hoffinger, this Court reminded all counsel in an e-mail on July 8, 2022, that “this matter has been set down for trial to commence on October 24th. That date will not be pushed back.”

For the above reasons and in light of your unavailability, this Court has no choice but to reject your Notice of Appearance.



Juan M. Merchan
Acting Justice Supreme Court
Judge - Court of Claims

cc: See e-mail distribution